

# House File 2334 - Introduced

HOUSE FILE \_\_\_\_\_  
BY MASCHER

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to minimum nutrition standards for school  
2 district attendance centers and prohibiting the sale of foods  
3 with minimal nutritional value in vending machines located in  
4 school district attendance centers and providing an effective  
5 date.  
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
7 TLSB 6222HH 82  
8 kh/nh/8

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1 1 Section 1. Section 256.9, subsection 39, Code Supplement  
1 2 2007, is amended to read as follows:  
1 3 39. ~~Provide~~ Develop minimum nutrition standards that meet  
1 4 or exceed federal guidelines and regulations for foods and  
1 5 beverages sold or served in school district attendance centers  
1 6 during the normal instructional day. The nutrition standards  
1 7 may include portion sizes, minimum nutrient values, and a  
1 8 listing of contents. The director shall provide educational  
1 9 resources and technical assistance to schools relating to the  
1 10 implementation of the nutritional guidelines for food and  
1 11 beverages sold on public school grounds or on the grounds of  
1 12 nonpublic schools receiving funds under section 283A.10.  
1 13 Sec. 2. NEW SECTION. 279.67 NUTRITIONAL STANDARDS.  
1 14 1. Food and beverages sold from vending machines located  
1 15 in school district elementary, middle school or junior high,  
1 16 or secondary school attendance centers shall meet the  
1 17 nutrition standards developed pursuant to section 256.9,  
1 18 subsection 39.  
1 19 2. Foods of minimal nutritional value as defined by the  
1 20 United States department of agriculture food and nutrition  
1 21 service under 7 C.F.R. pt. 210, appendix B, shall not be sold  
1 22 from a vending machine during the normal instructional day in  
1 23 any elementary, middle school or junior high, or secondary  
1 24 school attendance center.  
1 25 3. Contracts and renewal contracts for food or beverages  
1 26 shall expressly prohibit the sale of sugared, carbonated  
1 27 beverages and all other foods of minimal nutritional value as  
1 28 defined by the United States department of agriculture food  
1 29 and nutrition service under 7 C.F.R. pt. 210, appendix B, from  
1 30 vending machines located in school district attendance  
1 31 centers.  
1 32 4. Nothing in this section shall be construed to do any of  
1 33 the following:  
1 34 a. Prohibit a school district from developing and adopting  
1 35 nutrition standards that are more stringent than those  
2 1 provided in this section.  
2 2 b. Prohibit or limit the sale or distribution of any food  
2 3 or beverage item through fund-raising activities of students,  
2 4 teachers, or educational groups when the items are intended  
2 5 for sale off the attendance center grounds.  
2 6 c. Prohibit or limit the sale or distribution of any food  
2 7 or beverage items to teachers, administrators, or other adults  
2 8 in a faculty lounge or under other circumstances where the  
2 9 sale or distribution is limited to teachers, administrators,  
2 10 or other adults.  
2 11 Sec. 3. EFFECTIVE DATE. Section 279.67, as enacted by  
2 12 this Act, takes effect July 1, 2009.  
2 13 EXPLANATION  
2 14 This bill directs the director of the department of  
2 15 education to develop minimum nutrition standards that meet or  
2 16 exceed federal guidelines and regulations for foods and  
2 17 beverages sold or served on the school grounds of elementary,

2 18 middle or junior high, or secondary schools during the normal  
2 19 instructional day, and, effective July 1, 2009, requires that  
2 20 food and beverages sold from vending machines located in  
2 21 school attendance centers must meet these nutrition standards.  
2 22 The bill prohibits, effective July 1, 2009, the sale of  
2 23 foods of minimal nutritional value as defined by the United  
2 24 States department of agriculture (USDA) food and nutrition  
2 25 service under 7 C.F.R. pt. 210, appendix B, from a vending  
2 26 machine during the normal instructional day in any school  
2 27 attendance center. The USDA definition includes soda water,  
2 28 water ices, chewing gum, and certain candies.  
2 29 The bill provides that, effective July 1, 2009, contracts  
2 30 for food or beverages shall expressly prohibit the sale of  
2 31 sugared, carbonated beverages and all other foods of minimal  
2 32 nutritional value as defined by the USDA from vending machines  
2 33 located in school district attendance centers.  
2 34 The bill also provides that nothing in the bill shall be  
2 35 construed to prohibit a school district from developing and  
3 1 adopting more stringent standards, prohibit or limit the sale  
3 2 of food or beverage items through school fund-raising  
3 3 activities when the items are intended for sale off the  
3 4 attendance center grounds, or prohibit or limit the sale or  
3 5 distribution of any food or beverage items to adults in a  
3 6 faculty lounge or under other circumstances where the sale or  
3 7 distribution is limited to adults.  
3 8 LSB 6222HH 82  
3 9 kh/nh/8